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MEMO ENDORSED

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October 27, 2022

VIA ECF

The Honorable Sidney H. Stein
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Jeannice Tse v. Capital One Financial Corporation et al*
Case No. 1:20-cv-09347

10/27/22
Application denied.
So ordered.
Sidney H. Stein
U.S.D.S.

Dear Judge Stein:

We represent Defendants Capital One Financial Corporation ("Capital One"), Simon Lindenmann, and Elizabeth Khatri (collectively "Defendants") in the above-referenced action. The parties have mutually agreed to engage in mediation, and have scheduled a mediation session on November 9, 2022. Accordingly, Defendants respectfully request that the Court issue an order staying the deadlines for Defendants' anticipated motion for summary judgment to allow the parties to proceed with mediation and attempt to resolve this case without incurring further fees or costs.

Defendants further propose that, within seven (7) days of the mediation session, the parties submit a status letter either reporting that the case has resolved in principle, or if mediation is unsuccessful, requesting that the Court set new deadlines for summary judgment briefing.

Thank you for the Court's consideration of this request.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Kelly M. Cardin

Kelly M. Cardin
Jessica R. Schild

cc: All counsel of record

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